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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AF/ 2882

14/E

In re the Application of: **SAKAI, et al.**

Group Art Unit: 2882 3-27-03

Serial No.: 09/581,818

Examiner: C. KAO J. Arts

Filed: June 19, 2000

P.T.O. Confirmation No.: 6723

For: **ENCODER**

RESPONSE UNDER 37 CFR §1.116
- EXPEDITED RESPONSE -
GROUP ART UNIT 2882

M. Bruner

4/4/03

BOX AF

Commissioner for Patents
Washington, D.C. 20231

March 17, 2003

Sir:

In response to the Office Action dated **December 16, 2002**, please amend the above-identified application as follows:

IN THE CLAIMS:

CANCEL claims 3 and 6, without prejudice or disclaimer.

AMEND claims 2 and 5 to read as follows:

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2. (Thrice Amended) An encoder having a code pattern provided on a rotary disk, which
detects the rotation speed and rotational position of the rotary disk by receiving light coming from
a light emitting element and transmitted through or reflected from said code pattern by a light